

January 24th., 2002

Department of Justice
Washington, DC

Ref: Proposed Microsoft Antitrust Settlement, Public
Comment Opportunity

I wish to weigh in on this matter from the perspective of someone (a small business owner) who has suffered substantial harm as a result of Microsoft's dominance in the past, is being harmed at this moment, and will continue to be adversely affected unless major changes occur in the future.

First, I would ask you to consider some history. We began a major involvement with computers some fifteen years ago. The operating system in use for IBM compatible computers was DOS. It is important to remember that while Microsoft acquired the rights to this system and IBM used it, there were a number of operating system software producers. Each system was guaranteed to operate any DOS program and each one offered particular features which might recommend them to the user. Then there were producers of software that dealt with functions viz: word processing, spreadsheets; and utilities viz: backup, file management, hard drive maintenance. There was constant competition between these software producers to gain a competitive edge and thereby gain new users for their offerings. It is important to remember that at this time while Microsoft produced certain offerings they were not dominant, or even a major player, in any category.

We had perhaps ten or twelve software vendors in those days. Of that number the vast majority are out of business as a direct result of Microsoft's practices. Those that are still in business survived by a capitulation to Microsoft and a willingness to stay within the parameters in which they were permitted to operate.

While reason forces one to admit the unknowableness of "what might have been", I can feel confident in saying that the damage to the advancement of computer applications as a result of Microsoft having crushed their competition is beyond measure.

We have applications that perform tasks in a manner superior to any offering from Microsoft but they are essentially obsolete as they will not run in a Windows environment. Their developers long since were rolled over by the Microsoft behemoth. I could go on for pages about why this monstrous monopoly developed and the interests that supported and sustained it. I will forebear this as it is, at this point, not relevant. What is relevant is

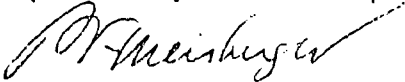
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whether or not the situation is going to change or just get worse. No one seems to realize the potential being lost to our economy as a result of computer applications that will be never be developed due to the Microsoft monopoly.

In order to break the Microsoft monopoly two things must be required. First: The Windows operating system must be made available for license under terms that will truly allow one or more competitors. Second: Microsoft must be prohibited from being a developer of any applications or utilities software by setting these operations under the control of an unrelated company.

Any remedies short of this will not solve the problem. A problem that is far more onerous and detrimental to our economy than can be imagined save by those who live with the results every business day. I implore you to stop now that which should have been stopped earlier and thereby reintroduce competition to the computer software industry. Thus you will allow the American computer industry to fully achieve its potential.

Respectfully submitted,



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